

Ag Video Conference Notes
January 17, 2008
9 a.m.

Present: Tom McCarthy, Gene Tinker, Eric Wiklund, Cindy Martens, Ken Hessenius, Paul Petitti, Dan Olson, Josh Sobaski, Jeannie Greiner, Ted Petersen, Bob Palla, Karen Grimes, Claire Hruby and Randy Clark

The next Ag Video Conference will be for all Field and Central office staff on Wednesday, Feb. 20, at 8:30 a.m. Please mark your calendars and send topics to Ken Hessenius.

Open Feedlots: There is an NOV letter that has been created and sent to each field office for nonsubmittal of quarterly and/or annual reports. When reviewing the annual reports just make sure that all the data is present and makes sense, do not spend a lot of time running calculations. That can be done during the on-site visits. There were a couple minor changes made to the Annual Report form, so be sure to print new ones for your office.

Bedded Hoop or Conventional Bedded Barns: It was brought up that rules need to be changed and possibly monitoring implemented as an evaluation tool for a few of these sites. They are able to build in karst terrain which can be just five feet to bedrock as the structure is considered a production facility, not a manure storage facility. If the facility stores manure in the structure then it falls under a different interpretation.

Changes in Permitted Facilities: If a permitted facility installs something such as lift station, sand separator, new crates, etc. that require no structural changes to the building, no change in manure volume or manure content they can give DNR and the county a written note stating that there have been no changes to their existing MMP along with the filing fee. An MMP (or note) and fee must be submitted as the statute requires MMP and filing fees in order to issue a construction permit.

AFO Database Update: The business plan is moving forward at a fast pace for this database. There are several meetings each week with the team. Compliance actions will all be in the compliance database. These would include all field office actions such as MMP on site reviews, all site visits, inspections, complaints, site surveys, etc. There will be a search page and extensive query capabilities. Results of these queries will be exportable to Excel. Anything that is of a compliance nature will go to the compliance database. The AFO database will store facility information. Most all of the information in these databases will be viewable by the public. There are standard reports set up and other information needed can be sorted and searched individually. There will be a report builder function and one person per office will have the rights to do this.

It was stressed by several that we need to make sure that there is IT support for these databases. It would seem to make sense to have that support person on staff during the development of the database.

Identity for Enforcement: One of the offices had questions regarding who to include in correspondence regarding enforcement actions. Randy asked that specialists identify any person that you have information on, such as the facility owner, the facility operator, president, chair, etc. of a LLC to the legal staff. We should send correspondence to the owner and/or operator or whomever the MMP designates as the contact person. We are not required legally to notify any certain person.

Calculator on Website: It was brought up that it would be nice to have a calculator on the MMP and Construction Web site so that people could just enter their animal numbers and type and it would calculate what regulations applied to them and send them to the correct links. Karen said that she would check on doing this and what support we could get from IT.

Page 2
Ag Video Conference Notes
January 17, 2008
9 a.m.

Any **increase in stocking** at a permitted site will require a new construction permit. This includes changing animal types and increasing animals. Such as more cattle when they switch from Holstein to Jersey cows in a dairy or they go from grow/finish to wean/finish in a swine operation or switch from sows to finishers. They may not be increasing animal weight or manure, but the animal units increase.

Reminder that new **NMP record keeping forms** were posted on the web and were emailed to each office.

Existing sites that do not have correct soil sampling for their P-index plan should go to referral. This would include finding this during the MMP submittal or discovering it while on a site review. Visit with Ken or Randy if you have any questions on this.

MMP Kaizen Review will be held on Tuesday, Feb. 12, at 10 a.m. via the video conferencing system. This will include all of the original participants. If you have items to bring forward, contact Eric Wiklund. We will be revisiting the tier system and other decisions made in the original Kaizen.

The final rule that would **limit manure application on fields going into soybean production** will be up for approval at the March 11 Environmental Protection Commission meeting. If approved, the rule would limit nitrogen application to 100 pounds of available nitrogen per acre on fields that are planted to soybeans or where soybeans will be the next crop planted. For example, fall application would be limited for a field where soybeans are planned for spring planting in the following year.

Construction permits still require a **3 day notice to the appropriate field office prior to a concrete pour**. It was questioned whether we still wanted this in the permit? It was the opinion of the video conference group that yes; we would like to see it stay in the permit. Please forward your opinions and comments on this to Bob P. or Ken H.

It was also discussed if we wanted to keep the **authorization-to-use letter** in the case of non-engineered sites. Please send your comments to Ken and Bob on this subject as well.

There have been some instances lately where people are trying to obtain a building permit for a home or quickly construct a home in order to stop the construction or expansion of an animal feeding operation (AFO). If the **application for an AFO facility is submitted prior to a residence being built and inhabited**, with all utilities hooked up, then the residence distances do not apply. The start date of the AFO project is when the paperwork is submitted, not when the permit or construction date is issued.

Another reminder:

The next Ag Video Conference will be for all Field and Central office staff on Wednesday February 20th at 8:30 a.m. Please mark your calendars and send topics to Ken Hessenius.

Submitted by Cindy Martens